

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LANDS' END, INC.,
LANDS' END DIRECT MERCHANTS, INC.
and SEARS BRANDS BUSINESS UNIT
CORPORATION,

Plaintiffs,

v.

CONNECTICUT SHOTGUN
MANUFACTURING COMPANY,

Defendant.

ORDER

09-cv-278-bbc

Plaintiffs have responded to the court's May 5 memorandum giving them an opportunity to supplement their motion to file certain documents under seal. Plaintiffs' motion to seal involves two docket entries: the affidavit of Karl Dahlen, dkt. #7, and plaintiffs' "Statement of Facts." Dkt. #6. In their supplemental brief, plaintiffs acknowledge that much of the information in the affidavit and statement of facts does not meet the standard for confidentiality stated in United States v. Foster, – F.3d –, 2009 WL 1176478 (7th Cir. May 1, 2009), in which the court held that court filings should remain public "unless they meet the definition of trade secrets or other categories of bona fide

long-term confidentiality.” However, plaintiffs say that *portions* of the affidavit and the statement of facts include trade secret information, such as internal sales figures and business plans. To resolve this problem, plaintiffs have submitted redacted, unsealed versions of the affidavit and statement of facts that omit the confidential information. This is a reasonable solution, consistent with the instructions of the court of appeals in Citizens First National Bank of Princeton v. Cincinnati Insurance Co., 178 F.3d 943, 945 (7th Cir. 1999). Accordingly, I will grant plaintiff’s motion to seal the unredacted versions of the documents.

ORDER

IT IS ORDERED that plaintiffs’ motion to seal their unredacted Statement of Facts and affidavit of Karl Dahlen, dkt. #2, is GRANTED. Docket nos. 6 and 7 shall remain sealed until further order of this court.

Entered this 20th day of May, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge